

Jeffrey D. Hill v. New Castle County, et al.

C. A. No. 07-228 (GMS)

Plaintiff's Answering Brief In Opposition Of Defendants' Motion For Summary Judgment

APPENDIX I

5.0 RADAR OPERATION

- 5.1 Personnel assigned to TSU will be certified as radar operators and will be recertified every three (3) years.
- 5.2 Upon receiving a complaint requesting radar, a TSU officer will record the complaint and attempt to follow up on the complaint (time permitting), or transfer it to a TAC officer. A member of TSU, or a TAC officer, will respond to the location of the complaint, and survey the location and determine the type of enforcement to be used, emphasizing location that are experiencing a high frequency of accidents related to speed. Locations shall be selected with consideration to road, geographical location, traffic flow, and safety for the officer and the violator.
- 5.3 Operation: Generally, radar should be operated in marked patrol vehicles. However, with prior approval of the appropriate section or branch commander, unmarked and semi-marked vehicles can be used as the radar vehicle. Pick up, of "chase" vehicles should be marked vehicles, which will assist in stopping the violator and identifying the officer and the agency.
- 5.4 The radar unit shall be checked for calibration in accordance with the guidelines set forth by Superior Court and the specified recommendations of the radar manufacturer. (See appendices #2 and #3).
- 5.5 A Radar Log will be maintained by the radar operator. Upon completion of the assignment the log shall be placed in the appropriate log book located in the arms room or the TSU office. A radar log will be completed for each location.
- 5.6 The Radar Log Book shall be available during the operation for those instances where a violator is taken forthwith to a magistrate.
- 5.7 Recertification Training will be the responsibility of the Department Radar Instructors. The Training shall be coordinated through the Uniform Section Commander, the Human Resources Unit Commander, and the TSU commander.

6.0 RADAR ENFORCEMENT

- 6.1 It is essential that the radar operator observe the vehicle until it is apprehended.